

LAW OFFICES OF JAMES F. HOLTZ

A Professional Corporation

James F. Holtz (SBN 95064)

james.holtz@holtzapc.com

Natalie C. Holtz (SBN 334221)

natalie.holtz@holtzapc.com

16935 West Bernardo Drive, Suite 170

San Diego, California 92127

Telephone: (619) 881-1246

Facsimile: (619) 924-5199

Attorneys for Defendant

COSTCO WHOLESALE CORPORATION

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

IRENE PARDO, an individual,

Plaintiff,

v.

COSTCO WHOLESALE
CORPORATION, a Washington State
corporation; and DOES 1-50, inclusive,

Defendants.

Case No.: 5:22-cv-00609

**NOTICE OF REMOVAL OF
ACTION UNDER 28 U.S.C.
§§1332(a)(1), 1441(b) (DIVERSITY)**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant COSTCO WHOLESALE CORPORATION (hereinafter "Costco") hereby removes to this Court the state court action described below.

1. On March 2, 2022, an action was commenced in the San Diego Superior Court entitled IRENE PARDO, an individual, v. COSTCO WHOLESALE CORPORATION, a business entity, (hereinafter "Costco") and DOES 1 to 50, inclusive, as Case No: CVSW2201409. A copy of the Complaint is attached hereto as **Exhibit "A."**

///

2. Defendant Costco received a copy of said Complaint on March 22, 2022, when its agent accepted service of said Complaint and a Summons on its behalf. A copy of the Summons, Complaint, Civil Case Cover Sheet, Notice of Department Assignment, Notice of Case Management Conference, Statement of Damages, Certificate of Counsel, Notice of Acknowledgement and Receipt, Alternative Dispute Resolution (ADR) Information and Stipulation to Use Alternative Dispute Resolution (ADR) filed in state court and served on Defendant Costco are attached hereto as **Exhibit “B.”**

3. On April 1, 2022, Costco filed an Answer to Plaintiff’s Complaint attached hereto as **Exhibit “C.”**

4. This is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1332, and is one which may be removed to this Court by Defendant Costco pursuant to the provisions of 28 U.S.C. § 1441(b) in that it is a civil action between citizens of different states and the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

5. Complete diversity of citizenship exists for the following reasons: Plaintiff IRENE PARDO resides in the County of Riverside in California and is a citizen of the state of California. Defendant Costco was at the time of filing this action, and still is, a corporation incorporated under the laws of the State of Washington, having its principal place of business at Issaquah, Washington. There are no other named Defendants in this action.

6. Plaintiff alleges she fell at Costco and sustained personal injury.

7. Plaintiff filed a Statement of Damages attached hereto as **Exhibit “D”** indicating \$60,000 for economic or special damages and \$200,000 for general damages. Therefore, it is reasonable to conclude the amount in controversy exceeds \$75,000.

///

///

1 8. Due to Plaintiff IRENE PARDO's claimed damages of \$260,000, it is
2 reasonable to conclude that the amount in controversy exceeds \$75,000. Further, less
3 than one year has passed since commencement of the action as required by 28 U.S.C. §
4 1446(c). Thus, the matter is now removable to federal court.

5
6 Dated: April 11, 2022

LAW OFFICES OF JAMES F. HOLTZ

A Professional Corporation

Bv: /s/ James F. Holtz

James F. Holtz

james.holtz@holtzapc.com

Natalie C. Holtz

natalie.holtz@holtzapc.com

Attorneys for Defendant

COSTCO WHOLESALE CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2021, I served a true and correct copy of the above and foregoing **NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. §§ 1332(a)(1), 1441(b) (DIVERSITY)** via U.S. Mail by depositing in the United States Postal Service mail box at 16935 West Bernardo Drive, Suite 170, San Diego, California 92127, in a sealed envelope with postage thereon fully prepaid and addressed as follows:

Alex Valenzuela, Esq.
Joseph H. Elias, Esq.
DORDULIAN LAW GROUP
550 N. Brand Blvd., Suite 1990
Glendale, CA 91203
Telephone: (818) 788-4919
Facsimile: (818) 827-2944
avalenzuela@dlawgroup.com
jelias@dlawgroup.com

Attorneys for Plaintiff
IRENE PARDO

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct. Executed on April 11, 2022, at San Diego, California.

/s/ James F. Holtz
James F. Holtz